

UNITED STATES BANKRUPTCY COURT

District of New Jersey

In re:

SHAPES/ARCH HOLDINGS L.L.C., *et al.*,
Reorganized Debtors.

THE CLASS 10 LIQUIDATION TRUST, by and
through Steven D. Sass, as Trustee,
Plaintiff(s),

v.

EXCO USA,

Defendant(s).

Chapter 11

Case No. 08-14631
(Jointly Administered)

Judge: Gloria M. Burns

Adv. Pro. No. 10-

**SUMMONS AND NOTICE OF PRETRIAL CONFERENCE
IN AN ADVERSARY PROCEEDING**

YOU ARE HEREBY SUMMONED and required to submit a motion or answer to the complaint which is attached to this summons to the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

Address of Clerk: James J. Waldron, Clerk 50 Walnut Street, 3rd Floor, P.O. Box 1352 Newark, NJ 07102-1352
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At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

Name and Address of Plaintiff's Attorney: Ilana Volkov, Esq. Felice Yudkin, Esq. Cole, Schotz, Meisel, Forman & Leonard, P.A. A Professional Corporation Court Plaza North, 25 Main Street, P.O. Box 800 Hackensack, NJ 07602-0800
Donna H. Lieberman, Esq. Carrie E. Mitchell, Esq. Stephanie S. Park, Esq. Halperin Battaglia Raicht, LLP 555 Madison Avenue, 9 th Floor New York, NY 10022

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place:

Address United States Bankruptcy Court 50 Walnut Street Newark, NJ 07102	Room #
	Date and Time

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR
CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY
DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

JAMES J. WALDRON
Clerk of the Bankruptcy Court

Date

BY: _____
Deputy Clerk

CERTIFICATE OF SERVICE

I, _____, certify that I am, and at all times during the service
(name)
of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made. I
further certify that the service of this summons and a copy of the complaint was made _____ by:
(date)

☐ Mail service: Regular, first class United States mail, postage fully pre-paid, addressed to:

☐ Personal Service: By leaving the process with defendant or with an officer or agent of defendant at:

☐ Residence Service: By leaving the process with the following adult at:

☐ Publication: The defendant was served as follows: [Describe briefly]

☐ State Law: The defendant was served pursuant to the laws of the State of _____, as
follows: [Describe briefly] (name of state)

Under penalty of perjury, I declare that the foregoing is true and correct.

Date

Signature

Print Name		
Business Address		
City	State	Zip